

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**Division of Housing Policy Development**

1800 Third Street, Suite 430
P. O. Box 952053
Madera, CA 94252-2053
(916) 323-3177
FAX (916) 327-2643



December 28, 2004

Mr. Stell Manfredi
County Administrative Officer
County of Madera
333 West Olive Avenue
Madera, CA 93637

Dear Mr. Manfredi:

RE: Review of the County of Madera's Adopted Housing Element

Thank you for submitting Madera County's housing element, amended and adopted by the Board of Supervisors on December 13, 2004, and received for review on December 21, 2004. As you know, the Department is required to review adopted housing elements and report the findings to the locality pursuant to Government Code Section 65585(h). The Department is expediting this review to facilitate your application for Workforce Housing Incentive Grant Program funds.

The Department's November 16, 2004 review found the draft revisions addressed the statutory requirements. Since the adopted element is substantially the same as the draft, the Department is pleased to find the housing element in compliance with State housing element law (Article 10.6 of the Government Code).

The Department commends the County for expanding the land inventory analysis and strengthening its commitment to ensure a sufficient number of sites (up to 259 acres) are rezoned to accommodate the shortfall of adequate sites for lower-income households by the end of 2005, as described in Program 1.11. As stated in the previous reviews, it appears that successful implementation of this rezone program, in concert with the supply of available "unconstrained" sites will allow the County to accommodate its regional housing need. Should any annexations occur within the planning period which reduces the County's residential development capacity as currently identified in the land inventory and programs, the County will have to amend its element to identify alternative sites (appropriately zoned, with access to infrastructure).

Increasing viable residential development opportunities in the unincorporated area is critical to addressing Madera County's housing needs. Therefore, the County must remain diligent in implementing its housing assistance programs. In particular, the County should play a proactive role in implementing those programs that will help guide new residential development to areas where infrastructure is adequate and available (or will be available within the planning period), and preserve agricultural lands and open space, while accommodating needed housing growth for all income levels.

The Department notes that Program 1.5 in the adopted element does not include the public outreach language as included in the draft revisions, on which the Department's November 16, 2004 finding of compliance was based. Therefore, the County must ensure the development community is made aware of all available incentives as described in the program (e.g., fee waivers and deferrals, deviations from development standards, and priority reviews).

Pursuant to Government Code Section 65400, the County should monitor, evaluate, and report on the effectiveness of its housing and community development implementation actions, with a focus on programs actions 1.11 (rezone), 2.1 (monitoring affordability of new construction), 2.5 (offering fee waivers for affordable projects), and 4.2 (addressing the housing needs of persons with disabilities). The annual implementation reports are required to be completed and submitted to the local legislative body and the Department by October 1 of each year. Failure to submit an annual report by the due date with this evaluation and information will trigger a review by the Department of the implementation status of the identified programs.

Also, for your information, upon completion of an amended or adopted housing element, a local government is responsible for distributing a copy of the element to area water and sewer providers (Government Code Section 65589.7). This section of the law requires public and/or private water and wastewater providers give a priority to proposed housing development projects for lower-income households in their current and future service allocations and/or hook-ups.

As you know, because the County of Madera's adopted housing element is in compliance, it has met one of the threshold requirements for an innovative new program that rewards local governments for approving affordable workforce housing. The Workforce Housing Program, funded by Proposition 46, provides grant funds to eligible local governments for every qualifying unit permitted, beginning calendar year 2004. Grant awards can be used to fund any capital asset project, such as transportation or park improvements. More specific information about the program is available on the Department's website at <http://www.hcd.ca.gov/ca/whrp/>. It is important to note that in addition to housing element compliance, the County must submit an annual report on the implementation of the housing element in accordance with Government Code Section 65400, by December 31, 2004 to be eligible for funding.

The Department wishes the County of Madera much success in implementing its housing, land-use, and development assistance programs, and look forward to following the County's annual progress and achievements through its forthcoming general plan implementation progress. If the Department can provide any additional assistance in implementing the County's housing element, please contact Don Thomas, of our staff, at (916) 445-5854.

In accordance with their requests pursuant to the Public Records Act, we are forwarding a copy of this letter to the individuals listed below.

Sincerely,

A handwritten signature in black ink that reads "Cathy E. Creswell". The signature is written in a cursive, flowing style.

Cathy E. Creswell
Deputy Director

cc: Rayburn Beach, Planning Director, County of Madera
Dave Randall Project Planner, County of Madera
Derek DiManno, Consultant, Mintier and Associates
Mark Stivers, Senate Committee on Transportation & Housing
Suzanne Ambrose, Supervising Deputy Attorney General, AG's Office
Terry Roberts, Governor's Office of Planning and Research
Nick Cammarota, California Building Industry Association
Marcia Salkin, California Association of Realtors
Marc Brown, California Rural Legal Assistance Foundation
Rob Weiner, California Coalition for Rural Housing
Deanna Kitamura, Western Center on Law and Poverty
S. Lynn Martinez, Western Center on Law and Poverty
Alexander Abbe, Law Firm of Richards, Watson & Gershon
Michael G. Colantuono, Colantuono, Levin & Rozell, APC
Ilene J. Jacobs, California Rural Legal Assistance, Inc.
Richard Marcantonio, Public Advocates
Joanna Nugent, Self-Help Enterprises
Baldwin Moy, California Rural Legal Assistance
Douglas Nelson, Madera County